

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Criminal No. 16-00342-01-CR-W-HFS
)	
ROBERT J. YOUNG, II,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On November 2, 2016, the Grand Jury returned a one count Indictment charging that between September 5, 2014 and January 21, 2016, in the Western District of Missouri, the defendant, ROBERT J. YOUNG, II, did corruptly obstruct and impede and endeavor to obstruct and impede the due administration of justice in United States v. Rodney J. Tatum, Case No. 14-00292-01-CR-W-FJG, in the U.S. District Court for the Western District of Missouri, by embezzling and spending monies that were given to him by Rodney Tatum's family for the purpose of paying restitution in the criminal case. All in violation of Title 18, United States Code, Section 1503.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Paul Becker
Case Agent: FBI Special Agent Steven Lieppert
Defense: John Justin Johnston

OUTSTANDING MOTIONS:

1. Trial Brief filed by the government on 10/13/17
2. The Government's notice of intent to offer Rule 404(b) evidence filed on 10/16/17. The defendant will file an opposition to this motion.
3. Following the pretrial conference, government counsel on 10/18/17 filed a motion in limine seeking to exclude the restitution check offered by defendant after he knew he was under investigation for embezzlement..

TRIAL WITNESSES:

Government: 5 witnesses with stipulations
Defendants: Possibly the defendant and maybe one other witness

TRIAL EXHIBITS

Government: 65-70 exhibits
Defendant: 1 exhibit in addition to those offered by the government

DEFENSES: General Denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2 days

Government's case including jury selection: 1 1/2 days

Defense case: 1-2 hours

STIPULATIONS: The parties have stipulated to the custodian of records and to the transcript of the federal court hearing.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: Witness list filed 8/26/17 and amended on 10/16/17 ; exhibit list filed on 9/5/17.

Defense: None filed


Exhibit Index, Voir Dire, Jury Instructions: File by Noon, Wednesday, October 25, 2017.

Please Note: Jury instructions must comply with Local Rule 51.1

TRIAL SETTING: Criminal jury trial docket set for October 30, 2017.

Please note: There is a possibility that defendant could waive a jury trial. The case would then take one day to try.

IT IS SO ORDERED.



SARAH W. HAYS
United States Magistrate Judge